

## **REMARKS**

This amendment is in response to the Office Action mailed on April 29, 2009. Claims 6, 8–10, 16, 18–20, and 25–26 were pending. By this amendment, Claim 16 and 26 are amended, and new claims 27–31 are presented. No new matter is added. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

It is noted that all differences between the cited reference(s) and each claim may not necessarily be recited herein. This is not an admission on the part of the Applicant that Applicant concurs with the Examiner's assertions regarding the patentability of said claims over the cited reference(s). Applicant, in some cases, may simply choose to highlight particular differences between the claims and the reference(s). Such differences may render any differences not explicitly addressed moot.

### **1. Summary of Amendments**

No new matter was introduced with the present amendments, and each is fully supported by the specification. See, for example, previously pending claims, page 14 paragraph 46 and FIGS. 6–7.

Claim 16 was amended in accordance with the telephonic interview to overcome the present rejection, to remove “in the computing device” from the preamble, and to clarify the steps correspond to the method of the preamble. Claim 26 was amended to correct a typographical error from the previous Office Action. Claim 27–31 are newly presented.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

## **2. Summary of Telephonic Interview**

Applicant thanks Examiner Jialong He for the courtesy of a telephonic interview on June 11, 2009. Henry Gabryjelski, Reg. No. 62,828 was present for the Applicant, and Examiner Jialong He was present for the USPTO.

Elements of the rejections of Claims 6 and 16 were discussed in relation to Bruso. Examiner indicated that the claim does not recite the transliteration results in a different string. Agreement was reached that an amendment of “wherein the text string in the first alphabet is different from the phonetic string” would overcome the present rejection under 102(b) in view of Bruso.

No agreement was reached as to the final patentability of any claim. Applicant thanks the Examiners for the courtesies extended to him throughout the call.

## **3. Rejection of Independent Claim 6 under 35 USC 102(b)**

Claim 6 stands rejected under 35 USC 102(b) as being anticipated by US Patent Number 5,649,214 to Bruso et al. (hereinafter Bruso).

Bruso discloses a method and apparatus to migrate between a 7 or 8 bit character set in the ISO family of character sets, and a second 7 or 8 bit character set in the ISO family of character sets. The initial string, intermediate string, and final strings in Bruso are identical, but encoded in different character sets. See Bruso, col. 1 line 57–col. 2 line 32.

Independent Claim 6 recites a computer implemented method for transliterating languages in a computing device comprising: (1) “*receiving a text*

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

*string in a first alphabet of a first language on an input of the computing device”, (2) “converting the text string to a phonetic string in a second alphabet of an intermediary language, based on a first predefined phonetic mapping scheme between the first alphabet and the second alphabet”, (3) “converting the phonetic string into a third alphabet of a second language, based on a second predefined phonetic mapping scheme between the second alphabet and the third alphabet”, and (4) “transliterating the text string”.*

A rejection under 35 USC 102(b) requires that the reference used to reject the claim teach each and every element of the claim. See MPEP 2131. If the reference fails to explicitly disclose a feature, the examiner may still indicate the reference anticipates the claim by make a showing of inherency of the features not explicitly disclosed. See *Id.* To show that a characteristic not disclosed in the reference is inherent, the missing descriptive matter must **necessarily** be present in the thing described in the reference. See MPEP 2112(IV), 2131.01(III). Bruso fails to disclose, explicitly or inherently, multiple features of Claim 6.

In the rejection of Claim 6, the Office Action asserts that Bruso discloses:

converting the text string to a phonetic string in a second alphabet of an intermediary language, based on a first predefined phonetic mapping scheme between the first alphabet and the second alphabet (col. 2, lines 43–67, **mapping ISO 646 coded characters into an intermediated coded character set** (a second alphabet of an intermediary language), **also fig. 5**);

Office Action, page 3. Emphasis in original.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

Based on the above, it seems the Office Action is equating the first predefined phonetic mapping scheme as recited in Claim 6 with the character set migration disclosed by Bruso.

During the interview, the examiner further explained that he views Bruso to disclose a predefined phonetic mapping; Specifically, when the ISO 646 German Coded Character set conversion to the identical characters in the ISO 8859.1 Coded Character set, the predefined mapping that results in identical characters would sustain the same pronunciation. See Bruso Column 8 lines 35–43. Thus, the Examiner seems to be asserting that the character mapping disclosed in Bruso is equivalent to a phonetic mapping scheme because the words remain the same (i.e. inherency).

The Examiner also noted that Claim 6 does not explicitly recite that the conversion of the text string to a phonetic string results in a different string, and asserted that a broad interpretation may include a predefined phonetic mapping that results in identical characters, that is to say an identical string as the input.

After further consideration, Applicant respectfully disagrees.

The **predetermined phonetic mapping schemes** as disclosed in multiple elements of Claim 6 are substantially different than the equivalence mapping disclosed in Bruso.

The mapping in Bruso is based on equality of individual characters to identical individual characters. This is easily visualized in Bruso's FIG 6., which lists both a source character code column and a destination character code column, but only a single character symbol column which applies to both the

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

character code columns. Thus, the mapping disclosed by Bruso is one of the characters being identical.

At best, Bruso is silent about the mapping scheme being in any way based on phonetics. Thus, even assuming *arguendo* that the Office Action suggested that Bruso inherently requires the mapping to be a phonetic scheme, the use of Bruso in this context would be inoperative. Bruso discloses the mapping resulting in identical characters, but using different character sets. A person having ordinary skill in the art understands that phonetic mappings between languages (or even within a language) may not result in the same character. For example, the Spanish “j” is pronounced phonetically similar to the English “y” character. See also, for example, Figures 6 and 7 of the present application, which shows not only that the phonetic mapping often results in **different characters** (e.g. ‘k’ 602 to 604), but also that the transliteration may not result in a one-to-one mapping between characters (e.g. ‘ka’ 602 to 604). Accordingly, Bruso cannot inherently disclose a phonetic mapping because the mapping in Bruso cannot change a character to the character(s) that represent the sounds associated with the character.

Accordingly, Bruso fails to disclose at least converting a text string to a phonetic string recited in Claim 6, and further fails to disclose either the first predefined phonetic mapping scheme or the second predefined phonetic mapping scheme recited in Claim 6.

Because Bruso fails to disclose multiple features recited in Claim 6, either explicitly or inherently, and including the predefined phonetic mapping schemes, the rejection under 35 USC 102(b) should be withdrawn.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

In the rejection of Claim 6, the Office Action further asserts that Bruso also discloses “transliterating the text (**col. 7, lines 34–47, also fig. 4 #106**)”. Office Action, page 3. Emphasis in original.

Based on the above, it seems the Office Action is equating the transliterating the text string as recited in Claim 6 with the transliterating disclosed by Bruso. Applicant respectfully disagrees.

The specification, in paragraph [36], states “Transliteration refers to the expression of words or letters of a language using characters **of a non-native alphabet to that language**”. Emphasis added.

Bruso uses the term “transliteration” quite differently. For example:

If that user wants to begin using an ISO 8859.n character set for the encoding, the only choice available today is to make the database file unavailable, unload, **transliterate (i.e., convert character codes from ISO 646 to ISO 8859.n)**, and reload the data, and then make the database file available again.

...

The Intermediate Coded Character Set Support Software **changes the encoding, or "transliterates,"** of the character codes to the Destination Coded Character Set. The Intermediate Coded Character Set contains the Destination Coded Character Set representation.

Bruso, col. 2 lines 27–32 and column 7, lines 43–47. Emphasis added.

The transliteration disclosed in Bruso is therefore that of changing the encoding of the character set used to store the data, **without changing the underlying characters**. Unlike the transliterating of the present application, which includes characters non-native to the language being transliterated, the transliterating disclosed in Bruso results in the **same characters**.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

Bruso thus fails to disclose “the expression of words or letters of a language using characters of a non-native alphabet to that language” as the specification defined transliteration. Bruso therefore cannot be said to disclose “*transliterating the text string*” as recited in Claim 6.

As Bruso fails to disclose each and every element of Claim 6, the rejection of Claim 6 should be withdrawn.

Claims 8–10, 25, and 27–29 each depend from Claim 6, and are allowable at least by virtue of their dependency on Claim 6. Accordingly, the rejection of claims 8–10, and 25 should also be withdrawn, and Claims 27–29 are allowable.

#### **4. Rejection of Independent Claim 16 under 35 USC 102(b)**

Claim 16 stands rejected under 35 USC 102(b) as being anticipated by Bruso.

Independent Claim 16 recites a computer readable storage medium having computer executable instructions stored thereon that when executed cause a computing device to perform a method for transliterating languages in the computing device comprising: (1) “*receiving a text string in a first alphabet of a first language on an input of the computing device*”, (2) “*converting the text string to a phonetic string in a second alphabet of an intermediary language, based on a first predefined phonetic mapping scheme between the first alphabet and the second alphabet*”, (3) “*converting the phonetic string into a third alphabet of a second language, based on a second predefined phonetic mapping scheme between the second alphabet and the third alphabet*”, and (4)

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

*“transliterating the text string, wherein the phonetic string contains at least one character from the second alphabet of the intermediary language which is not present in the first alphabet of the first language”.*

In the rejection of Claim 16, the Office Action asserts that Bruso discloses:

converting the text string to a phonetic string in a second alphabet of an intermediary language, based on a first predefined phonetic mapping scheme between the first alphabet and the second alphabet (col. 2, lines 43–67, mapping ISO 646 coded characters into an **intermediated coded character set** (a second alphabet of an intermediary language), **also fig. 5**);

Office Action, page 3. Emphasis in original.

During the interview, **agreement was reached** that the addition of the recitation that “wherein the text string in the first alphabet is different from the phonetic string” to Claim 16 would overcome the present rejection.

In the interests of furthering prosecution to allowance, Applicant has amended Claim 16 to recite *“wherein the phonetic string contains at least one character from the second alphabet of the intermediary language which is not present in the first alphabet of the first language”.*

As discussed above with respect to Claim 6, Bruso fails to disclose any conversion that results in different characters. Therefore, Bruso fails to disclose at least *“converting the text string to a phonetic string in a second alphabet of an intermediary language ... wherein the phonetic string contains at least one*

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004



*character from the second alphabet of the intermediary language which is not present in the first alphabet of the first language”.*

In addition to the additional feature added by amendment, Applicant further believes Bruso fails to disclose each and every element of Claim 16 for reasons substantially similar to those presented above with respect to Claim 6.

As Bruso fails to disclose each and every element of Claim 16, the rejection of Claim 16 should be withdrawn.

Claims 18–20 and 26 each depend from Claim 16, and are allowable at least by virtue of their dependency on Claim 6. Accordingly, the rejection of claims 18–20 and 26 should also be withdrawn.

#### **6. New claims 30 and 31**

Independent claim 30 recites multiple features not disclosed in the art presently cited. Applicant submits that claim 30 is patentable, and respectfully request that Claim 30 be allowed.

Claim 31 depends from Claim 30, and is allowable at least by virtue of its dependency on Claim 30. Accordingly, the allowance of Claim 31 is also respectfully requested.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

## 7. CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested. Based on the foregoing, Applicants respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,  
Microsoft Corporation

Date: July 24, 2009

By: /Henry Gabryjelski/

Henry Gabryjelski, Reg. No.: 62,828  
Direct telephone 425-703-8116  
Microsoft Corporation  
One Microsoft Way  
Redmond WA 98052-6399

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Type of Response: Amendment  
Application Number: 10/777,154  
Attorney Docket Number: 306213.01  
Application Filing Date: February 13, 2004